



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration  
2098 Gaither Road  
Rockville MD 20850

APR 11 2002

Dr. Yusuke Kobe  
Vice President  
RhiGene Inc.  
455 State Street – Suite 104  
Des Plaines, IL 60016

Re: k011068  
Trade/Device Name: RhiGene Inc. nDNA Test System For ImageTiter, Cat. No. CL100i  
Regulation Number: 21 CFR 866.5100  
Regulation Name: Abtinuclear antibody immunological test system  
Regulatory Class: Class II  
Product Code: KTL  
Dated: March 6, 2002  
Received: March 12, 2002

Dear Dr. Kobe:

We have reviewed your Section 510(k) premarket notification of intent to market the device referenced above and have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act) that do not require approval of a premarket approval application (PMA). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 898. In addition, FDA may publish further announcements concerning your device in the Federal Register.

Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's requirements, including, but not limited to: registration and listing (21 CFR Part 807); labeling (21 CFR Part 801); good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820); and if applicable, the electronic product radiation control provisions (Sections 531-542 of the Act); 21 CFR 1000-1050.

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This letter will allow you to begin marketing your device as described in your 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801 and additionally 809.10 for in vitro diagnostic devices), please contact the Office of Compliance at (301) 594-4588. Additionally, for questions on the promotion and advertising of your device, please contact the Office of Compliance at (301) 594-4639. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR 807.97). Other general information on your responsibilities under the Act may be obtained from the Division of Small Manufacturers International and Consumer Assistance at its toll-free number (800) 638-2041 or (301) 443-6597 or at its internet address "<http://www.fda.gov/cdrh/dsma/dsmamain.html>".

Sincerely yours,

A handwritten signature in black ink that reads "Steven Gutman". The signature is written in a cursive style with a large, stylized 'S' and 'G'.

Steven I. Gutman, M.D., M.B.A.  
Director  
Division of Clinical Laboratory-Devices  
Office of Device Evaluation  
Center for Devices and  
Radiological Health

Enclosure

510(k) Number (if known): K011068

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Device Name: **RhiGene Inc. nDNA Test System For ImageTiter, Cat. No. CL100i**

**Indications for Use:**

The RhiGene nDNA Test is an in vitro indirect fluorescent antibody (IFA) assay using the substrate *Crithidia luciliae* as a substrate for the semi-quantitative determination of human serum anti-DNA antibodies. The RhiGene nDNA test is intended for use in conjunction with the ImageTiter® Workstation as an aid in the diagnosis of systemic lupus erythematosus (SLE). ImageTiter® is a Registered Trademark of TriPath Imaging, Inc.

*Souzan S. Altare*

(Division Sign-Off)

Division of Clinical Laboratory Devices

510(k) Number K011068

(PLEASE DO NOT WRITE BELOW THIS LINE-CONTINUE ON ANOTHER PAGE IF NEEDED)

Concurrence of CDRH, Office of Device Evaluation (ODE)

Prescription Use ☒ OR Over-The-Counter Use ☐  
(Per 21 CFR 801,109)

(Optional Format 1-2-96)